

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *eg* D.C.
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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENN. MEMPHIS

MICHAEL BURDETTE,

Plaintiff,

V.

LOWE'S HOME IMPROVEMENT
WAREHOUSE,

Defendant.

NO. 05-CV-2129-B/Y

~~Proposed~~ RULE 16(B) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the Defendant, Lowe's Home Center, Inc., hereby submits the following proposed dates as the final dates for¹:

INITIAL DISCLOSURES:	<i>October 11</i> September 8 , 2005
JOINING PARTIES:	October 25, 2005
AMENDING PLEADINGS:	October 25, 2005
COMPLETING ALL DISCOVERY:	April 25, 2006
(a) DOCUMENT PRODUCTION:	<i>December</i> November 25, 2005
(b) DEPOSITIONS, INTERROGATORIES, AND REQUESTS FOR ADMISSIONS:	<i>December</i> November 25, 2005
(c) EXPERT WITNESS DISCLOSURE:	
(1) DISCLOSURE OF PLAINTIFFS' RULE 26 EXPERT INFORMATION:	January 15, 2006

¹ Pursuant to Rule 26(f), the Defendant, Lowe's Home Center, Inc., attempted, unsuccessfully, to confer with plaintiff.

(11)

(2) DISCLOSURE OF DEFENDANTS' ~~March~~ ^{Feb} 15, 2006
RULE 26 EXPERT INFORMATION:

(3) EXPERT WITNESS DEPOSITIONS: April 25, 2006

FILING DISPOSITIVE MOTIONS: June 15, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for non-jury trial, and the trial is expected to last two days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

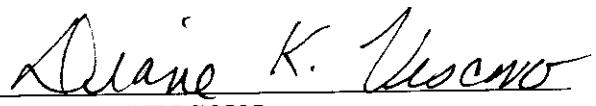
The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to FED. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

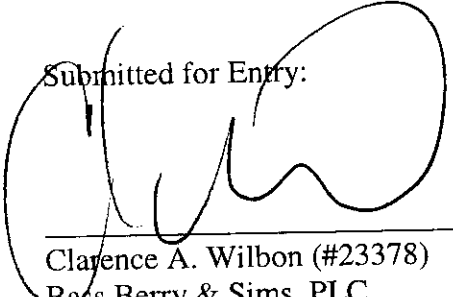
Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.


DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE

Date: September 26, 2005

Submitted for Entry:



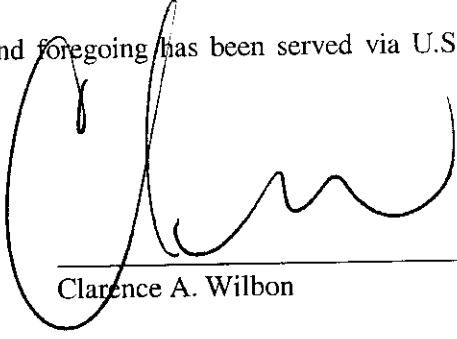
Clarence A. Wilbon (#23378)
Bass Berry & Sims, PLC
100 Peabody Place, Suite 900
Memphis, TN 38103
(901) 543- 5900

Attorney for Lowe's Home Center, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served via U.S. mail, postage prepaid, on this 18 day of August, 2005:

Michael C. Burdette
4114 Misty Forest Cove
Memphis, TN 38125



Clarence A. Wilbon



Notice of Distribution

This notice confirms a copy of the document docketed as number 11 in case 2:05-CV-02129 was distributed by fax, mail, or direct printing on September 27, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT